



U.S. PATENT APPLICATION NO. 10/083,861  
DOCKET NO. T8948.CIP

#3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Rami Mahato, et al  
SERIAL NO.: 10/083,861  
FILED: February 25, 2002  
FOR: A NOVEL CATIONIC  
LIPOPOLYMER AS  
BIOCOMPATIBLE  
GENE DELIVERY AGENT  
ART UNIT: 1642  
EXAMINER:  
DOCKET NO.: T8948.CIP

**CERTIFICATE OF DEPOSIT  
UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Assistant Commissioner of Patents, Washington, D.C. 20231.

*Karen Jacobson*  
4-26-02  
Date of Deposit

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office

Assistant Commissioner of Patents  
Page 2

Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or

\_\_\_\_\_ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

Assistant Commissioner of Patents  
Page 3

Please charge any additional fees or credit any overpayment to Deposit Account No. 20-0100.

DATED this 26<sup>th</sup> day of April, 2002.

Respectfully submitted,



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Attorney for Applicant  
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INTELLECTUAL PROPERTY LAW

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April 23, 2002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- Form PTO-1449 list of six (6) references submitted for consideration.
- Legible copies of the listed references or their relevant portions.
- All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- Statement that certain listed references not enclosed are substantially cumulative

Commissioner of Patents  
and Trademarks  
Page 2

of an enclosed reference.

Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

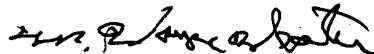
Statement under 37 C.F.R. § 1.97(e)(1) or (2).

Check No. \_\_\_\_\_ in the amount of \$ (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Dated this 26<sup>th</sup> day of April, 2002.

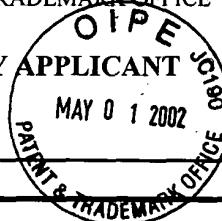
Respectfully submitted,



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Enc.

## LIST OF PRIOR ART CITED BY APPLICANT



Sheet 1 of 1

Application Number	10/083,861
Filing Date	February 25, 2002
First Named Inventor	Mahato, et al.
Group Art Unit	1642
Examiner Name	
Attorney Docket	T8948.CIP

U.S. PATENT DOCUMENTS							
EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,283,185		Epand, et al.			
	AB	5,753,262		Wyse, et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AL						
	AM						
	AN						
	AO						
	AP						
OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)							
	AR		Felgner PL, et al., LIPOFECTION: A HIGHLY EFFICIENT, LIPID-MEDIATED DNA TRANSFECTION PROCEDURE, <i>Proc Natl Acad Sci USA</i> USA 84: 7413-7417 (1987)				
	AS		Gao, X. and Huang L., A NOVEL CATIONIC LIPOSOME REAGENT FOR EFFICIENT TRANSFECTION OF MAMMALIAN CELLS, <i>Biochem. Biophys. Res. Commun.</i> 179: 280-285 (1991)				
	AT		Nabel, et al., GENE TRANSFER IN VIVO WITH DNA-LIPOSOME COMPLEXES, <i>Human Gene Therapy</i> 3:649-656, (1992b)				
	AU		T. Mosmann, RAPID COLORIMETRIC ASSAY FOR CELLULAR GROWTH AND SURVIVAL: APPLICATION TO PROLIFERATION AND CYTOTOXICITY ASSAYS, <i>65 J. Immunol. Methods</i> 55-63 (1983)				
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.